



06-29-06

PATENT  
450100-03743AF ✓  
JFW**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Tomohiro Nishi, et al.  
Serial No. : 10/085,659  
Filed : February 26, 2002  
For : OPTICAL STATE MODULATION METHOD AND  
SYSTEM, AND OPTICAL STATE MODULATION  
APPARATUS  
Examiner : Yenke, Brian P.  
Art Unit : 2622  
Confirmation No. : 8660

745 Fifth Avenue  
New York, NY 10151  
(212) 588-0800

**EXPRESS MAIL**

Mailing Label Number: EV 713836745 US

Date of Deposit: June 28, 2006

I hereby certify that this paper or fee is being deposited with the  
United States Postal Service "Express Mail Post Office to  
Addressee" Service under 37 CFR 1.10 on the date indicated  
above and is addressed to: Mail Stop Appeal-Brief  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450.

Barnet Shindler  
(Typed or printed name of person mailing paper or fee)

Barnet Shindler  
(Signature of person mailing paper or fee)

**NOTICE OF APPEAL, PETITION FOR EXTENSION OF TIME  
AND PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Mail Stop Appeal-Brief  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

06/30/2006 WASFAW1 00000029 10085659

01 FC:1401  
02 FC:1251500.00 OP  
120.00 OP

Sir:

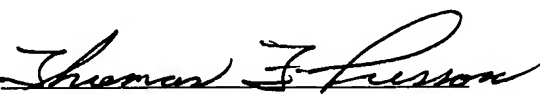
In response to the Final Rejection dated March 7, 2006, Applicants petition for a one-month extension of time. Enclosed is a check in the amount of \$120.00 as payment of the fee.

Applicants appeal to the Board of Patent Appeals and Interferences from the refusal to issue the above-referenced application. A check in the amount of \$500.00 is enclosed to cover the fee for the Notice of Appeal. Applicants also submit herewith a Pre-Appeal Brief Request for Review.

Please charge any additional fees or credit any overpayment by reason of this request to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

By:   
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800